

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 20-18 Erie
)	
MELQUAN BARNETT)	

INDICTMENT MEMORANDUM

AND NOW comes the United States of America, by its attorneys, Scott W. Brady, United States Attorney for the Western District of Pennsylvania, and Christian A. Trabold, Assistant United States Attorney for said District, and submits this Indictment Memorandum to the Court:

I. THE INDICTMENT

A federal grand jury returned a one-count Indictment against the above-named defendant for an alleged violation of federal law:

<u>COUNT</u>	<u>OFFENSE/DATE</u>	<u>TITLE/SECTION</u>
1	Malicious destruction of property by fire On or about May 30, 2020	18 U.S.C. § 844(i)

II. ELEMENTS OF THE OFFENSE

A. As to Count 1:

In order for the crime of malicious destruction of property by fire, in violation of 18 U.S.C. § 844(i), to be established, the government must prove all of the following essential elements beyond a reasonable doubt:

1. That the defendant maliciously damaged, or attempted to damage and destroy, Ember + Forge located at 401 State Street, Erie, Pennsylvania.

2. That the defendant did so by means of fire.

3. That at the time of the fire, Ember & Forge was involved in interstate commerce and/or in activity affecting interstate commerce.

Pattern Crim. Jury Instr. 5th Cir. 2.37 (2015).

III. PENALTIES

A. As to Count 1: Malicious destruction of property by fire (18 U.S.C. § 844(i)):

1. A term of imprisonment of not less than five (5) years to a maximum of twenty (20) years.

2. A fine not to exceed \$250,000.

3. A term of supervised release of not more than three (3) years.

IV. MANDATORY SPECIAL ASSESSMENT

A mandatory special assessment of \$100.00 must be imposed on each count upon which the defendant is convicted, pursuant to 18 U.S.C. § 3013.

V. RESTITUTION

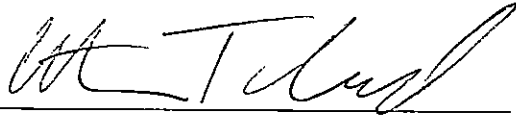
Restitution may be required in this case as to Count One, together with any authorized penalty, as part of the defendant's sentence pursuant to 18 U.S.C. §§ 3663, 3663A and 2259.

VI. FORFEITURE

Not applicable in this case.

Respectfully submitted,

SCOTT W. BRADY
United States Attorney

A handwritten signature in black ink, appearing to read 'C. A. Trabold', written over a horizontal line.

CHRISTIAN A. TRABOLD
Assistant U.S. Attorney
PA ID No. 75013